

IN THE SPECIFICATION:

On page 14, starting at line 1, please replace the first paragraph with the following, such that the language from the originally filed application is reinstated and the language from the preliminary amendment is canceled:

The unique aspects and procedures relating to the spacer 10 will now be explained in more detail. Some of the key features of the invention comprise the size, shape and placement of spacer 10. The spacer 10 is preferably made of titanium, thus having a non-porous quality with a preferably smooth finish. The spacer 10 could also be made of ceramic, or any other suitable material that is inert or and biologically compatible. The term "non-porous" as used herein shall be construed broadly in accordance with the common, ordinary meaning of that term to refer to objects possessing an impediment to flow that would operate in the presence of fluid to impede or even block fluid flow through the object. In accordance with such common, ordinary meaning, such objects are either impermeable by liquid, or possess a limited degree of permeability that prevents liquid from passing through the object in a manner that would be considered flow. Examples of objects that are non-porous and impermeable include a solid titanium or solid ceramic intervertebral spacer, or a spacer made from impermeable bone material, or a spacer that is coated or treated in

(3) some way to render it impermeable. Examples of objects that are non-porous and possess a limited degree of permeability, and which therefore do not permit fluid to pass through them in a flowable manner, include biologically compatible spacers made from bone, such as milled-bone allograft spacers or particle-bone allograft spacers that are freeze-dried and thereafter re-hydrated prior to insertion, or any other type of non-porous spacer made from bone. Under the definition above, the presence or absence of surface porosity on an object, such as an intervertebral spacer, is irrelevant to whether the object is porous or non-porous. The spacer 10 is thus constructed from a rigid, non-resilient load-bearing material, one that is preferably incapable of elastic deformation. The spacer 10, by its anterior, convex sidewall 12 and its posterior, concave sidewall 14, has thereby a concavo-convex contour with respect to one dimension.

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